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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/699,011	10/31/2003	William D. Holland	10014648-1	1436

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HEWLETT PACKARD COMPANY  
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INTELLECTUAL PROPERTY ADMINISTRATION  
FORT COLLINS, CO 80527-2400

EXAMINER

KRASNIC, BERNARD

ART UNIT	PAPER NUMBER
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2624

NOTIFICATION DATE	DELIVERY MODE
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01/23/2008

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

JERRY.SHORMA@HP.COM  
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<p align="center"><b>Advisory Action</b> <b>Before the Filing of an Appeal Brief</b></p>	Application No. 10/699,011	Applicant(s) HOLLAND, WILLIAM D.	
	Examiner Bernard Krasnic	Art Unit 2624	

**--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

THE REPLY FILED 27 December 2007 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.  
 b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; ~~as set forth in (b)~~ above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### NOTICE OF APPEAL

2. ☒ The Notice of Appeal was filed on 27 December 2007. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)); to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

#### AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because  
 (a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);  
 (b) ☐ They raise the issue of new matter (see NOTE below);  
 (c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or  
 (d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: \_\_\_\_\_. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL -324).  
 5. ☒ Applicant's reply has overcome the following rejection(s): See Continuation Sheet.  
 6. ☐ Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).  
 7. ☒ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.  
 The status of the claim(s) is (or will be) as follows:  
 Claim(s) allowed: \_\_\_\_\_  
 Claim(s) objected to: \_\_\_\_\_  
 Claim(s) rejected: 1-7, 13-23 and 27-38.  
 Claim(s) withdrawn from consideration: \_\_\_\_\_

#### AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).  
 9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).  
 10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

#### REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:  
See Continuation Sheet.  
 12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). \_\_\_\_\_  
 13. ☐ Other: \_\_\_\_\_

JINGGE WU  
SUPERVISORY PATENT EXAMINER

Continuation of 5. Applicant's reply has overcome the following rejection(s): The proposed amendments to claims 27 -30 have been entered. The Examiner in view of these amendments withdraws the 35 U.S.C. 101 rejections toward claims 27 -30..

Continuation of 11. does NOT place the application in condition for allowance because:

The proposed amendments to the abstract and to claims 27 -30 have been entered. The Examiner in view of these amendments withdraws the objections to the abstract and also withdraws the 35 U.S.C. 101 rejections toward claims 27 -30.

In Regards to the 35 U.S.C. 112 first paragraph rejections, the Applicant has referred the Examiner to Figs. 3 -5 and the associated teachings of the specification once again as did before in the response dated July 12, 2007. The Examiner in the Final Office Action dated 9/27/2007 raised the 35 U.S.C. 112 first paragraph rejection toward claims 32 and 34-38 [not toward claims 31 and 33 as the Applicant alleges in the forth paragraph of page 9 in the Amendment After Final dated 12/27/2007]. The Examiner while searching Figs. 3-5 with the associated teachings of the specification once again, has concluded that there is support for claim 34 but there still isn't a full, clear, concise, and exact terminology to enable any person skilled in the art to which it pertains to find that claims 32 and 35-38 has support. It is the Applicants responsibility to fully, clearly, and concisely show to the Patent Office where the support [exactly where in the specification] for the amendment is found and to describe fully, clearly, and concisely how the support is teaching the amended limitations [explain how the Applicant is interpreting the specification to read on the specific claim language]. Therefore the rejection of claims 32 and 35-38 is still maintained under 35 U.S.C. 112 first paragraph until the Applicant could fully, clearly, and concisely show and explain how the support of the specification is interpreted to read on the claim language or until the claims are canceled.

The Examiner would like to briefly discuss the 35 U.S.C. 102(b) rejections toward the independent claims 1, 18, and 27 to re-iterate that the broadly claimed invention is anticipated by the Ishigami et al (US 5,933,184) reference. Ishigami discloses a hard imaging device / color image forming device (see Fig. 1) comprising an optical scanning system / optical system (3) configured to access image data / image signal to be used to form a hard image / color image (see Fig. 1, col. 2, lines 58 -67, col. 3, lines 1-16, col. 4, lines 30-66), to generate light / laser light source (5) corresponding to the image data / image signal, and to direct the generated light / laser light source indicative of the image data / image signal to a photoconductor / photosensitive body (4) (see Fig. 1, col. 2, lines 58 -67, col. 3, lines 1-16, col. 4, lines 30-66), wherein the optical scanning system / optical system produces images upon the photoconductor / photosensitive body which differ from images of the generated light, the difference resulting from scanning errors / uniform velocity error in the optical scanning system (see col. 2, lines 58 -67, col. 3, lines 1-16, col. 4, lines 30-66, col. 6, lines 25-44); and processing circuitry / image clock generating unit (9) configured to modify / correct distortion the image data / image signal prior to application of the image data to the optical scanning system / optical system, wherein the modification / correct distortion of the image data comprises modifying the image data to control the generation of light / laser light source within the optical scanning system in a manner to reduce / correct the presence of image errors / uniform velocity errors in a resultant image formed on the photoconductor / photosensitive body and caused by the scanning errors / uniform velocity error of the optical scanning system (see col. 2, lines 58 -67, col. 3, lines 1-16, col. 4, lines 30-66, the uniform velocity correction data is used to improve the image quality, col. 3, lines 16-24, col. 6, lines 25-44). Therefore Ishigami is clearly anticipating modifying / correct distortion the image data / image signal using correction data / uniform velocity correction data to reduce image errors / correct an introduction of uniform velocity errors resulting from the scanning / scan. Therefore the claim rejections toward claims 1-7, 13-23 and 27-38 under 35 U.S.C. 102 and 35 U.S.C. 103 as discussed in the Final Office Action dated 9/27/2007 are also still maintained and therefore this application is still not in condition for allowance because it is still not patentably distinguishable over the prior art references.